

FIGHT IS BEGUN IN SUPREME COURT

Seeks to Put End to Initiative and Referendum Legislation in United States.

Washington, D. C., October 4.—The task of trying to put an end to an initiative and referendum legislation in this country was begun in the Supreme Court of the United States. Counsel for the Pacific States Telephone and Telegraph Company filed a brief with the court, attacking a taxing law of Oregon because it was enacted by virtue of the initiative amendment to the State Constitution, which is alleged to be in violation of the Federal Constitution.

It is urged first that the failure of the company to have a hearing before the raising of its taxes by the initiative method placed the telephone company at a disadvantage with others taxed after being heard by the State Legislature. In this way it was claimed equal protection of the laws was denied it.

The initiative amendment and the Oregon tax were denounced in the brief as a violation of the right of a republican form of government, which was guaranteed by the Federal Constitution.

Reference was made to the claim that the initiative method of legislation is a check against corruption of legislators.

"It were better," the telephone company contended, "that the struggle against abuse and corruption should continue than that they should be eradicated by theories and practices of government revolutionary in character, and founded on error or injustice."

Replying to the contention that the initiative is a reserve power for rare use, the attacking brief quotes from the election records of Oregon to show that in 1904 two measures were on the ballot; in 1906, 11; in 1908, 19; and in 1910, 32. It was asserted that no despot or monarch would be permitted to rule any commonwealth of the nation, and yet the "despotism" of the multitude is as arbitrary and complete as the absolutism of a despot.

In this connection President Taft's views regarding the rights of the minority as expressed in his recent veto of the Arizona statehood resolution were quoted.

SUFFRAGETTES STIRRED

UP BY FATHER VAUGHAN

Lively Time on Ocean Liner When the "Seigneur of High Society" Said His Say.

New York, October 4.—Father Vaughan, London's scourge of high society, arrived on the Metropolitan Monday—a magnetic man, gracious, portly, florid, with full round eyes, a fighting nose and a vitality that belies his sixty-four years. He said his trip over had been pleasant except that "trouble" was a nuisance. The "trouble" proved to be a reaction in a suffragette meeting promoted by Harry Phillips, coming here to lecture on woman suffrage, at which Father Vaughan was asked by him to preside. Mr. Phillips in his opening remarks said man's domination was at an end and that woman was now man's equal.

Father Vaughan agreed to have said, "for that is not the kind of woman I admire." Then he delineated his idea of the model woman and when he had finished left, amid mingled cheers and hisses.

Then the war was on, for Mr. Phillips said that Father Vaughan had been rude, and the suffragettes said that he was a mean old thing, and a New York stockbroker, George D. Burgess, and his wife said Father Vaughan was quite right, so the Burgessses went into a shade of disfavor all day.

To a reporter Father Vaughan said that he had not discussed the suffragettes nor did he intend to except himself on that line at all. "I spoke against the new woman," he said. "Why do you not approve of her?"

"Why do you not approve of her?"

"Because a woman's place is in her home. I want to see woman respected, treated with reverence and protected."

"Hear, hear," said the reporter, who is a woman—that's what we want.

"But when a woman places herself on a plane of equality with a man,"

"I don't agree," she has to go to the wall. She's the weaker sex."

"Then you don't agree with Bernard Shaw, et al., who say that woman is really the stronger sex?"

"No, I don't," he replied bluntly.

Then perceiving that he was being interviewed unwisely, he laughed and rose to his feet.

"No, no," he said, "I don't catch me that way. I have strict orders to keep my lips sealed."

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MASTERPIECES ARE DEDICATED

Groups of Statuary Executed by Barnard Accepted by State.

Harrisburg, Pa., October 4.—The great groups of statuary emblematic of the joys and the burdens of life, executed by George Grey Barnard to adorn the front of the Capitol of his native State, were formally accepted and dedicated to the Commonwealth to-day with impressive exercises held at the new Statehouse. Notable Pennsylvania former Governors, State officials, legislators and men prominent in all walks of life were in the throng which attended the ceremonies. There was no unveiling ceremony. The colossal figures were put into place last winter flanking the entrance to the Capitol. To-day the only decorations were wreaths of laurel placed on the bases of the groups by the Rev. Joseph Barnard, the aged father of the artist, who was accompanied by Mrs. Barnard. The couple gazed upon their son's wonderful work to-day for the first time. Barnard came with his parents and was met at the Capitol by Miss Violet Oakley and William B. Van Ingen, the Philadelphia artists, who contributed to the mural decorations of the building, and a number of friends from other cities.

The exercises were held in front of the building, where two large stands had been erected. In front were seated the participants in the exercises of the day. State officials and the guests to the number of 800, while on the steps of the entrance between the statue groups were massed 400 children, who sang over 100 songs.

Addresses were delivered by Attorney-General Bell, former Governor Pennypacker and former Congressman Graham, of Pittsburg.

The statues, which are pronounced by critics to be the most notable group of their kind ever produced, were erected at a cost to the State of about \$250,000.

PRESBYTERY WILL MEET IN APRIL

(Special to The Times-Dispatch.)

Fredericksburg, Va., October 4.—The Eastern Presbytery will meet in the Presbyterian Church in this city the fourth Tuesday in April, 1912. Dr. Russell Cecil, of Richmond, moderator of the Synod of Virginia, will preside at the presbytery and preach the opening sermon.

In Caroline county a few days ago

Thos. Byrd was fined \$10 and costs by Magistrate R. A. Samuel for killing

and in that of seasons, complaint having been made by Game Warden Rea-

Colonel E. D. Cole, of this city, has been appointed to act as Chairman of

the State Democratic Committee to consider the petition of John Luther

and in that of seasons, complaint having been made by Game Warden Rea-

Judge R. H. L. Chickester, of the

Circuit Court of Spotsylvania county, in response to a petition of freeholders, has ordered an election for November 7 for Livingston District, in Spotsylvania county, on the question of issuing bonds to the amount of \$50,000 for permanent improvement of the public roads in that district. Judge Chickester has also ordered an election for November 7 in Spotsylvania county on the question of compelling the road wagons to use broad tires on all improved roads in that county.

WHITE-GOWNED WIDOW PRESIDES AT FUNERAL

Discards Mourning Apparel and Burles Husbands According to His Request.

Indianapolis, October 4.—Standing beside a coffin containing the body of her husband, Mrs. Charles Buhland carried out his last requests. Dressed in white, she sang two hymns, read his requests and delivered a brief eulogy.

Buhland didn't want any crepe at the door, and he insisted that no black should be worn in mourning for him. He wanted his wife to dress in white. He desired that in the place of sombre decorations there should be flowers and other symbols of joy at the funeral.

Buhland was fifty-two and was ill a year before he died.

There was no evidence of mourning in the appearance of Mrs. Buhland as she stood at the head of a coffin. In a clear, sweet voice she sang a hymn and then read her husband's requests. A few of their friends were present.

Mr. and Mrs. Buhland embraced Spiritualism several years ago.

"If ever I would tell the truth I would surely tell it this moment," said Mrs. Buhland, "standing by the side of the coffin which holds the form of my husband—the one dear to me, the form that I loved, that I have embraced, that has been my companion for more than thirty years, lover and sweet-heart, husband and wife, father and mother. Under these circumstances and surroundings the truth would be told."

"And I say to you that within three hours after his transition my husband appeared to me and to our son, and we conversed with him, received his requests and heard from his condition."

"And he has been with us ever since. He has not come to us. He came as he promised."

At the conclusion of the eulogy Mrs. Buhland sang another hymn, and the services ended. Not a tear was shed. The body was cremated immediately following the funeral, as was requested by Buhland.

MRS. DOWIE'S NEW ZION

Gathers Seventy-Five of Husband's Disciples to Form Rival Tabernacle.

Chicago, October 4.—Clad in a white

supplie and the cap and gown of a

doctor of divinity, Mrs. J. Alexander

Dowie, widow of the late leader of the Church of Zion, yesterday made her

first attempt to bring together her husband's original disciples. Seventy-five members of the original church

sponded to Mrs. Dowie's call, and met at Handel Hall.

In the midst of her address of welcome Mrs. Dowie said, "I do not want

in a voice choked with sobbing, to

a continuation of the work begun by

her husband.

Mrs. Dowie's appearance was the

first in public since the death of her husband, nearly five years ago. She

was enthusiastically received by mem-

bers of her former tabernacle group.

Meetings of this kind have been

held weekly and will virtually op-

pose the organization controlled by

the late Mrs. Dowie, who was the

of the Church of Zion.

WEBSTER TRIAL SOON

Phonetic Who Confessed Wife Murder Does Not Regret Deed.

Oregon, Ill., October 4.—State At-

plans to represent the case of Dr.

Henry E. Webster, confessed wife

murderer, to the grand jury and try

the prisoner in the criminal court

without unnecessary delay.

Dr. Webster slept soundly last night

and awoke this morning feeling better

than at any time since his arrest. He

is a hearty eater, fast and smoked

a number of cigarettes. Later he asked

to see the Chicago newspapers and

was allowed to read them.

"My confession made in Chicago

Sunday is true in every substantial

particular, but I will have to revise

it and tell about certain details which

I have not yet told. I told Webster

said, "I will not talk any more

about the matter until I am taken into

custody. I have no regrets for my deed.

There was nothing else I could do. I

was of my mind when I did it."

STEEL CAGES IN COURT

New Plan Resembles That in the Cam-

merial Trial.

New York, October 4.—The court-

rooms of Special Sessions and Part 2

of General Sessions resemble some-

what the courtroom in Viterbo, Italy,

in the Cammer trial. In each there

has been erected an iron cage, behind

which prisoners await their turns to

plead.

This cage is about seven feet high,

and extends along one side of each

room from the pen to the enclosure re-

ceived for defendants and counsel. At

the end nearest the enclosure it is di-

vided up into two compartments, each

about eight by ten feet, one for men

and one for women.

When court opens the prisoners are

taken from the Tombs and put in the

cages. When it is their time to plead

a court attendant enters the cage,

grasps the person whose name was

called by the arm and escorts him

out to the bar. After he has pleaded

he is taken back to the cage and lock-

ed. Then another attendant shoves

him along the passage back to the

Tombs.

LAWYERS EXPECT TO GET NEW TRIAL

Confident That Verdict in Case of L. J. Norris Will Not Stand.

RESULT PROVES SURPRISE

People Generally Had Looked for Acquittal of Defendant.

(Special to The Times-Dispatch.)

Rule 10 of the October 1 trial, their appeal from the conviction and sentence of L. J. Norris for the murder of J. B. Bissett, in the trial just closed here, counsel for Norris are confidently expecting to secure a new trial on the ground that there was no warning to the jury to be charged that there was ground for a verdict of second degree murder. The insistence is that if he was guilty at all, it was first degree murder, in that the evidence, circumstantial entirely, was that he snatched Bissett and the woman in the back and then went out to the trying place in the woods and rushed on Bissett, shot him to death, and ran before the woman had opportunity to see him clearly enough to identify him. On the other hand, however, the defense insists that Norris established an alibi, establishing his presence in town at times when it would have been impossible for him to have gone out to the scene of the murder and then got back downtown. The second degree murder verdict was a great surprise here, acquittal being generally expected.

Charters Issued.
Charters were issued to-day for the Hill Live Stock Company, Louisville, capital \$100,000, by K. P. Hill, F. W. Justice and others, and for the Denton Chair Company, of Denton, Davidson county, capital \$25,000 authorized and \$10,000 subscribed, by C. C. Shaw and others.

Working on History.
Former Associate Justice Walter A. Montgomery, of the North Carolina Supreme Court, has returned to the city with his family from Washington, D. C., where he spent the past year for the special purpose of making extensive researches in connection with his work of writing his book, "The Civil Administration of the Confederate Government and Its Diplomatic Relations."

The book is in two volumes and is to be published soon, time during the coming spring. It will be the only work of the kind yet written, and Judge Montgomery is taking his time in getting it in thorough shape as to data and composition.

Extension Demanded.
The Corporation Commission heard extended argument to-day on a petition from numerous citizens of Duplin county asking that the Hilton Railroad Company be compelled to provide freight service on its lumber road from a point near Wallace, about ten miles from the county, via Pinhook, at which place, five miles from the Pinhook station is demanded. It is insisted that to do this would afford valuable service to points like Hillsville, Chincupin, Beulahville and other places. H. L. Stevens, of Warsaw, and G. R. Grady, of Wilmington, were here pushing the case in the interest of the petitioners. R. A. Parsley, of the Hilton Railroad Company, was here opposing the petition for the railroad. His contention is that the road is purely a lumber road, for getting lumber out of the hills for his mills, and that there is neither an interest in the freight service or the actual freight to be carried. Furthermore, he claims that his company is not in a position to put on the freight equipment. The answer to this is that the Hilton Lumber Company was chartered by the Legislature with power of eminent domain and that this public service is obligatory. Furthermore, it is insisted that when the road is extended to ten miles and beyond, the demand will be made for passenger service and for new stations each five miles of extension.

Injuries Are Fatal.
Walter Armstrong, who was injured two weeks ago while walking between the tracks of the Southern and Seaboard Air Line Railroad Companies here, died last night at the Rex Hospital. He was struck on the head by a freight car and knocked to the tracks and the Seaboard, where later a passing train ground off his arm. He leaves a wife and two children.

Daniel—Moring.
To-night at 9 o'clock, in the First Baptist Church, Miss Minnie Moring, daughter of Mr. and Mrs. F. O. Moring, and Horace W. Daniel, formerly of Staunton, Va., but now of Raleigh, he being traveling auditor for the Standard Oil Company, were married.

Bladen and Harnett counties are just added to those providing the special appropriation needed to have the State and county free hookworm dispensary now installed by Dr. J. A. Fox, in charge of the hookworm campaign in this State, making seventeen counties that have made this provision. This work is just completed in Northampton, Cumberland, Onslow and Wayne counties. It will be taken up forthwith in Warren, Pitt, Pender, Bladen and Brunswick.

MURDERER FAILS IN SUPREME COURT

Sandlin Must Go to Electric Chair for Killing His Wife.

(Special to The Times-Dispatch.)
Raleigh, N. C., October 4.—In twenty-three opinions delivered this afternoon by the Supreme Court, that of the State vs. Sandlin, from New Hanover, was most notable. This is against L. M. Sandlin, under sentence to be electrocuted for the murder of his wife in Wilmington. The court finds no error in the trial below.

The full list of opinions follows: State vs. Cole, Warren, new trial; Blow vs. Joyner, Hertford, new trial; Hooker vs. Norfolk and Southern Railroad, Pitt, no error; Jeffress vs. Norfolk and Southern, Pitt, no error; McLawhorn vs. Harris, Pitt, no error; Carteret Lodge vs. J. James, Carteret, affirmed; Morton vs. Blades Lumber Company, Craven, affirmed; Blissett vs. Bryant Lumber Company, Wilson, new trial; Morse and Rogers vs. Schulte, Nash, new trial; Pettitt vs. Atlantic Coast Line, Edgecombe, no error; Morgan vs. Morgan, no error.

Nash, reversed; Sherrod vs. Mayo, Marion, affirmed in both appeals; In re estate Martha Saville estate, Franklin, affirmed; State vs. Sandlin, New Hanover, no error; Brock vs. Life Insurance Company, Lenoir, no error; Adams vs. K. and C. Railway Company, Lenoir, no error; Burlington vs. Canady, Onslow, affirmed; Howie vs. Spittie, Union, affirmed; Powell vs. N. S. Mutual Life Insurance Company, Edgecombe, new trial for newly discovered evidence; Tilghman vs. Norfolk and Southern Railroad, Lenoir, affirmed; Henrietta Mills vs. McDaniels, Rutherford, new trial for new evidence; Chavis vs. Western Union Telegraph Company, Hertford, appeal withdrawn; Chadwick vs. Life Insurance Company of Virginia, Wake, dismissed under rule 17.

WOMEN CAUGHT IN ACT OF ROBBERY

Arrested While Looting Property of Flood Victims at Austin.

Austin, Pa., October 4.—The first arrests for robbery following the disastrous flood of last Saturday were made to-day, when two foreign women were caught by a State trooper trying open the lid of a trunk. The women are Mrs. Peter Shava and her daughter-in-law, Mrs. Joseph Shava. The women when arrested appealed to State Senator F. E. Baldwin to intercede for them, but he refused. They were taken to the county jail at Coudersport, Pa. Their home then was searched and furs and jewelry valued at \$1,000 or more were recovered, many pieces being identified by the owners.

Joseph Shava, husband of the younger woman, is accused of participating in the thefts, but he has not been found.

The visit of Governor John K. Tener to the recovery of some more bodies and the funerals of a number of other victims, coupled with a further development of the system of clearing the ruins and feeding the augmented force of workmen, marked the day as one of the greatest progress thus far in relieving the stricken town.

With the bodies recovered to-day there are but thirty persons unaccounted for, according to the official census. Funerals were held to-day, five from the Swedish Church, the only one left standing.

The caskets were placed side by side before the pulpit at one time, and as one service was completed a minister of another denomination would succeed him for the next funeral. Each had its little group of mourners.

The Rev. E. E. Harter, of the Methodist Episcopal Church, read the simple service to flood victims as the bodies were buried.

Aged Man Injured.
(Special to The Times-Dispatch.)
Monterey, Va., October 4.—R. H. Blagg, an aged man whose home is near Monterey, was severely if not fatally injured yesterday by being kicked in the face by a horse. The accident occurred on Alleghany Mountain, while Mr. Blagg was returning from Durbin, W. Va., and was due to a break in the harness. The horse kicked him squarely in the face, breaking his nose and fracturing the skull. His condition is serious.

HOME CURE FOR RHEUMATISM

Do not waste time nor take chances of becoming a cripple or helpless sufferer from Rheumatism by trying to cure the disease with external applications alone. Such treatment sometimes gives relief from the severe pain, or may reduce the inflammation of a swollen joint or muscle, but the effect cannot be more than temporary. Each day the cause is allowed to remain in the system. Rheumatism gets a firmer hold on its victim. Purify your blood of the inflammatory uric acid and then you will cure the disease permanently.

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VICTORY OF WILEY IS MADE COMPLETE

No Longer Will He Be Restricted in Fight Against Impure Foods.

Washington, D. C., October 4.—Headed and controlled by Dr. Harvey W. Wiley, the Chemistry Bureau chief, around whom the pure food controversy centered, the Pure Food and Drug Board of the Department of Agriculture, which passes upon matters of vital concern to immense manufacturing interests, hereafter will have largely augmented authority. From the complication that grew out of Solicitor McCabe's admitted control of the work of the board, the friction between McCabe and Dr. Dunlap, assistant chief of the Chemistry Bureau, on one side, and Dr. Wiley, on the other, the three constituting the board, the fight for official supremacy aired before Congress, Attorney-General Wickham's recommendation for Wiley's removal, and Wiley's exoneration by President Taft, there developed to-day a clearer view of Dr. Wiley's enlarged powers. Dr. E. Doolittle, of New York, a veteran chemist, named to succeed Solicitor McCabe on the board, was personally selected by Dr. Wiley. The two will act as a working majority, the only other member, Dr. F. L. Dunlap, who was aligned with the solicitor, remaining on the board on rotation until after the President's return.

The official order of Secretary Wilson, issued to-day, transferred to the Food and Drug Board many of the powers that have been exercised by Solicitor McCabe since July 1, 1910, the chief cause of the antagonism. It gives the board authority to determine what cases shall be pushed to prosecution, but Secretary Wilson, of course, will exercise the right of approval or dis